

1 JEFFREY A. LAMKEN (SBN 154217)

2 jeffrey.lamken@bakerbotts.com

3 JEREMY LEVIN (SBN 210577)

4 jeremy.levin@bakerbotts.com

5 BAKER BOTT S L.L.P.

6 The Warner

7 1299 Pennsylvania Avenue, NW

8 Washington, DC 20004

9 Telephone: (202) 639-7978

10 Facsimile: (202) 585-4060

11 Counsel for Defendant NRG ENERGY, INC.

12 MATTHEW F. PAWA (*Pro hac vice*)

13 mp@pawalaw.com

14 LAW OFFICES OF MATTHEW F. PAWA, P.C.

15 1280 Centre Street, Suite 230

16 Newton Centre, MA 02459

17 Telephone: (617) 641-9550

18 Facsimile: (617) 641-9551

19 Counsel for Plaintiffs

20 NATIVE VILLAGE OF KIVALINA and CITY OF

21 KIVALINA

22 [Counsel Listing Continued on the Next Page]

23 UNITED STATES DISTRICT COURT

24 NORTHERN DISTRICT OF CALIFORNIA

25 OAKLAND DIVISION

26 NATIVE VILLAGE OF KIVALINA and CITY
27 OF KIVALINA,

28 CASE NO. CV-08-01138 SBA

Plaintiffs,
vs.
JOINT STIPULATION RE:
EXXONMOBIL CORPORATION; *et al.*,
DISMISSAL OF NRG ENERGY,
Defendants.
INC. WITH PREJUDICE

29 [Proposed Order Lodged Separately]

1 LUKE W. COLE (SBN 145505)
 luke@igc.org
 2 BRENT NEWELL (SBN 210312)
 brent@igc.org
 3 CENTER ON RACE, POVERTY &
 THE ENVIRONMENT
 4 47 Kearny Street, Suite 804
 San Francisco, CA 94108
 Telephone: (415) 346-4179
 Facsimile: (415) 346-8723

6
 7 HEATHER KENDALL MILLER (*Pro hac vice*)
 kendall@narf.org
 8 NATIVE AMERICAN RIGHTS FUND
 420 L Street, Suite 505
 Anchorage, AK 99515
 9 907-276-0680
 10 Fax: 907-276-2466

11 STEVE W. BERMAN (*Pro hac vice*)
 12 steve@hbsslaw.com
 13 HAGENS BERMAN SOBOL SHAPIRO LLP
 1301 Fifth Avenue, Suite 2900
 Seattle, WA 98101
 14 Telephone: (206) 623-7292
 Facsimile: (206) 623-0594

15
 16 REED R. KATHREIN (SBN 139304)
 Email: reed@hbsslaw.com
 17 HAGENS BERMAN SOBOL SHAPIRO LLP
 715 Hearst Avenue, Suite 202
 18 Berkeley, CA 94710
 725-3000
 19 Fax: 510-725-3001

20
 21 GARY E. MASON (*Pro hac vice*)
 Email: gmason@masonlawdc.com
 22 THE MASON LAW FIRM, LLP
 1225 19th Street, NW
 Suite 500
 23 Washington, DC 20036
 202-429-2290
 24 Fax: 202-429-2294

25
 26 DENNIS J. REICH (*Pro hac vice*)
 Email: dreich@reichandbinstock.com
 REICH & BINSTOCK, LLP
 4265 San Felipe Blvd., Suite 1000
 Houston, TX 77027
 713-622-7271
 27 Fax: 713-623-8724

28
 29 CHRISTOPHER A. SEEGER (*Pro hac
 vice*)
 Email: cseeger@seegerweiss.com
 30 STEPHEN A. WEISS
 Email: sweiss@seegerweiss.com
 31 SEEGER WEISS LLP
 One William Street
 New York, NY 10004
 32 212-584-0700
 Fax: 212-584-0799

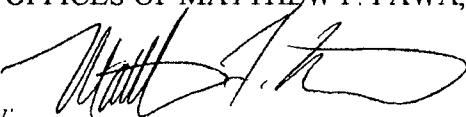
33
 34 STEPHEN D. SUSMAN (*Pro hac vice*)
 Email: ssusman@susmangodfrey.com
 35 SUSMAN GODFREY L.L.P.
 1000 Louisiana Street
 Suite 5100
 Houston, TX 77002
 36 713-651-9366
 Fax: 713-654-6666

37
 38 Counsel for Plaintiffs NATIVE VILLAGE OF KIVALINA and CITY OF KIVALINA

1 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, Plaintiffs and Defendant
2 NRG Energy, Inc. stipulate to dismissal, with prejudice to refiling, of all claims asserted by
3 Plaintiffs against NRG Energy, Inc. in the above-styled action. Plaintiffs and Defendant NRG
4 Energy, Inc. further stipulate that all attorneys' fees and costs of Court incurred by the parties to
5 this joint stipulation shall be paid by the party responsible for incurring those fees and costs.
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8 Dated: May 11, 2008

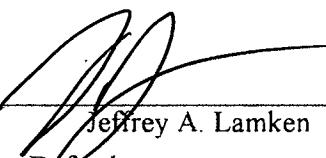
9
10 LAW OFFICES OF MATTHEW F. PAWA,
11 P.C.

12 By: 
13 Matthew F. Pawa

14 Counsel for Plaintiffs
15 NATIVE VILLAGE OF KIVALINA and
16 CITY OF KIVALINA
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Respectfully Submitted,

BAKER BOTT'S L.L.P.

By: 
Jeffrey A. Lamken

Counsel for Defendant
NRG ENERGY, INC.

1 JEFFREY A. LAMKEN (SBN 154217)
2 jeffrey.lamken@bakerbotts.com
3 JEREMY LEVIN (SBN 210577)
4 jeremy.levin@bakerbotts.com
5 BAKER BOTTs L.L.P.
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Counsel for Defendant
NRG ENERGY, INC.

MATTHEW F. PAWA (*Pro hac vice*)
mp@pawalaw.com
LAW OFFICES OF MATTHEW F. PAWA, P.C.
1280 Centre Street, Suite 230
Newton Centre, MA 02459
Telephone: (617) 641-9550
Facsimile: (617) 641-9551

Counsel for Plaintiffs
NATIVE VILLAGE OF KIVALINA and CITY OF
KIVALINA

[Counsel Listing Continued on the Next Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NATIVE VILLAGE OF KIVALINA and CITY
OF KIVALINA,

Plaintiffs,

vs.

EXXONMOBIL CORPORATION; *et al.*,

Defendants.

CASE NO. CV-08-01138 SBA

**[PROPOSED] ORDER RE:
DISMISSAL OF NRG ENERGY,
INC. WITH PREJUDICE**

1 LUKE W. COLE (SBN 145505)
 2 luke@igc.org
 BRENT NEWELL (SBN 210312)
 3 brent@igc.org
 CENTER ON RACE, POVERTY &
 THE ENVIRONMENT
 4 47 Kearny Street, Suite 804
 San Francisco, CA 94108
 Telephone: (415) 346-4179
 5 Facsimile: (415) 346-8723

7 HEATHER KENDALL MILLER (*Pro hac vice*)
 8 kendall@narf.org
 NATIVE AMERICAN RIGHTS FUND
 9 420 L Street, Suite 505
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 12 steve@hbsslaw.com
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 13 1301 Fifth Avenue, Suite 2900
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 Email: reed@hbsslaw.com
 17 HAGENS BERMAN SOBOL SHAPIRO LLP
 715 Hearst Avenue, Suite 202
 18 Berkeley, CA 94710
 (510) 725-3000
 19 Fax: (510) 725-3001

20 GARY E. MASON (*Pro hac vice*)
 21 Email: gmason@masonlawdc.com
 THE MASON LAW FIRM, LLP
 22 1225 19th Street, NW
 Suite 500
 23 Washington, DC 20036
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DENNIS J. REICH (*Pro hac vice*)
 Email: dreich@reichandbinstock.com
 REICH & BINSTOCK, LLP
 4265 San Felipe Blvd., Suite 1000
 Houston, TX 77027
 713-622-7271
 Fax: 713-623-8724

CHRISTOPHER A. SEEGER (*Pro hac vice*)
 Email: cseeger@seegerweiss.com
 STEPHEN A. WEISS
 Email: sweiss@seegerweiss.com
 SEEGER WEISS LLP
 One William Street
 New York, NY 10004
 212-584-0700
 Fax: 212-584-0799

STEPHEN D. SUSMAN (*Pro hac vice*)
 Email: ssusman@susmangodfrey.com
 SUSMAN GODFREY L.L.P.
 1000 Louisiana Street
 Suite 5100
 Houston, TX 77002
 713-651-9366
 Fax: 713-654-6666

25
 26 Counsel for Plaintiffs NATIVE VILLAGE OF KIVALINA and CITY OF KIVALINA
 27
 28

1 Pursuant to Plaintiffs' and Defendant NRG Energy, Inc.'s joint stipulation of dismissal, IT
2 IS HEREBY ORDERED THAT all claims asserted by Plaintiffs against NRG Energy, Inc. in this
3 action are DISMISSED WITH PREJUDICE and with each party to the joint stipulation of
4 dismissal bearing its own attorneys' fees and costs of Court.

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7 DATED: _____, 2008

8 By: _____
9 The Hon. Saundra B. Armstrong
United States District Judge

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